

By: Senator(s) Gordon, Thames, Farris,  
Kirby, Chaney, Frazier, Little, Walls,  
Williamson

To: Appropriations

SENATE BILL NO. 2939  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2004.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

4 **SECTION 1.** The following sum of money, or so much thereof as  
5 may be necessary, is hereby appropriated out of any money in the  
6 State General Fund not otherwise appropriated, to defray the  
7 expenses of the office of the State Treasurer for the fiscal year  
8 beginning July 1, 2003, and ending June 30, 2004.....  
9 ..... \$ 590,673.00.

10 **SECTION 2.** The following sum, or so much thereof as may be  
11 necessary, is hereby appropriated out of any funds in the special  
12 fund entitled Abandoned Property Fund in the State Treasury for  
13 the purpose of defraying expenses of the State Treasurer in  
14 administering the Uniform Disposition of Unclaimed Property and  
15 certain other expenses of the office, for the fiscal year  
16 beginning July 1, 2003, and ending June 30, 2004.....  
17 ..... \$ 2,403,821.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of  
19 Sections 1 and 2, the following positions are authorized:

20 AUTHORIZED POSITIONS:

|    |               |                |    |
|----|---------------|----------------|----|
| 21 | Permanent:    | Full Time..... | 33 |
| 22 |               | Part Time..... | 0  |
| 23 | Time-Limited: | Full Time..... | 0  |
| 24 |               | Part Time..... | 0  |

25 **SECTION 4.** In addition to all other sums herein  
26 appropriated, the following sum, or so much thereof as may be  
27 necessary, is hereby appropriated out of any money in the State



28 Treasury to the credit of the Education Improvement Trust Fund No.  
29 3219 for the purpose of investing funds for the fiscal year  
30 beginning July 1, 2003, and ending June 30, 2004.....  
31 ..... \$ 87,000.00.

32 **SECTION 5.** The following sum, or so much thereof as may be  
33 necessary, is hereby appropriated out of any money in the State  
34 Treasury to the credit of the Mississippi Prepaid Affordable  
35 College Tuition Administrative Fund to defray the costs of the  
36 Mississippi Prepaid Affordable College Tuition Program for the  
37 fiscal year beginning July 1, 2003, and ending June 30, 2004.....  
38 ..... \$ 1,388,561.00.

39 With the funds appropriated in this section, the following  
40 positions are authorized:

41 **AUTHORIZED POSITIONS:**

42 Permanent: Full Time..... 5

43 It is the intention of the Legislature that the State  
44 Treasurer is hereby authorized to accept, budget and expend an  
45 amount not to exceed One Million Dollars (\$1,000,000.00) from  
46 administrative fees charged and from interest earnings on any  
47 funds authorized for administration of the Mississippi Prepaid  
48 Affordable College Tuition Program, for the administration of the  
49 Mississippi Prepaid Affordable College Tuition Program. Such  
50 funds shall be escalated in accordance with the rules and  
51 regulations of the Department of Finance and Administration in a  
52 manner consistent with the escalation of federal funds.

53 **SECTION 6.** The following sum, or so much thereof as may be  
54 necessary, is hereby appropriated out of any money in the State  
55 Treasury to the credit of the Mississippi Prepaid Affordable  
56 College Tuition Trust Fund for the purpose of paying all amounts  
57 due for prepaid tuition contracts of the Mississippi Prepaid  
58 Affordable College Tuition Program, for the fiscal year beginning  
59 July 1, 2003, and ending June 30, 2004..... \$ 7,000,000.00.



60 It is the intention of the Legislature that the State  
61 Treasurer is hereby authorized to accept, budget and expend an  
62 amount not to exceed One Million Dollars (\$1,000,000.00) from any  
63 funds authorized for the Mississippi Prepaid Affordable College  
64 Tuition Program, for paying amounts due for prepaid tuition  
65 contracts of the Mississippi Prepaid Affordable College Tuition  
66 Program. Such funds shall be escalated in accordance with the  
67 rules and regulations of the Department of Finance and  
68 Administration in a manner consistent with the escalation of  
69 federal funds.

70 **SECTION 7.** The following sum, or so much thereof as may be  
71 necessary, is hereby appropriated out of any money in the State  
72 Treasury to the credit of the Health Care Expendable Fund, created  
73 under House Bill No. 519, 1999 Regular Session, for the purpose of  
74 defraying the expenses of the Office of the State Treasurer for  
75 the fiscal year beginning July 1, 2003, and ending  
76 June 30, 2004..... \$ 116,941.00.

77 With the funds appropriated in this section, the following  
78 positions are authorized:

79 AUTHORIZED POSITIONS:

80 Permanent: Full Time..... 2

81 **SECTION 8.** The following sum, or so much thereof as may be  
82 necessary, is hereby appropriated out of any money in the State  
83 Treasury to the credit of the Mississippi Affordable College  
84 Savings Administrative Fund to defray the costs of the Mississippi  
85 Affordable College Savings Program for the fiscal year beginning  
86 July 1, 2003, and ending June 30, 2004..... \$ 344,914.00.

87 With the funds appropriated in this section, the following  
88 positions are authorized:

89 AUTHORIZED POSITIONS:

90 Permanent: Full Time..... 2

91 It is the intention of the Legislature that the State  
92 Treasurer is hereby authorized to accept, budget and expend an



93 amount not to exceed One Million Dollars (\$1,000,000.00) from any  
94 funds deposited into the Mississippi Affordable College Savings  
95 Fund from administrative fees, grants, other payments or  
96 investment earnings received by the Mississippi Affordable College  
97 Savings Program. Such funds shall be escalated in accordance with  
98 the rules and regulations of the Department of Finance and  
99 Administration in a manner consistent with the escalation of  
100 federal funds.

101       **SECTION 9.** With the funds herein appropriated, it is the  
102 intention of the Legislature that it shall be the agency's  
103 responsibility to make certain that funds required to be  
104 appropriated for "Personal Services" for Fiscal Year 2005 do not  
105 exceed Fiscal Year 2004 funds appropriated for that purpose,  
106 unless programs or positions are added to the agency's Fiscal Year  
107 2005 budget by the Mississippi Legislature. Based on data  
108 provided by the Legislative Budget Office, the State Personnel  
109 Board shall determine and publish the projected annual cost to  
110 fully fund all appropriated positions in compliance with the  
111 provisions of this act. It shall be the responsibility of the  
112 agency head to insure that no single personnel action increases  
113 this projected annual cost and/or the Fiscal Year 2004  
114 appropriation for "Personal Services" when annualized. If, at the  
115 end of any calendar month, the State Personnel Board determines  
116 that the agency has taken action(s) which would cause the agency  
117 to exceed this projected annual cost or the Fiscal Year 2004  
118 "Personal Services" appropriated level, when annualized, then only  
119 those actions which reduce the projected annual cost and/or the  
120 appropriation requirement will be processed by the State Personnel  
121 Board until such time as the requirements of this provision are  
122 met.

123       **SECTION 10.** No part of the funds appropriated herein shall  
124 be used in the payment of attorney's fees, nor shall any of said  
125 funds be used either directly or indirectly, for the purpose of



126 paying any clerk, stenographer, assistant, deputy or other person  
127 who may be related by blood or marriage within the third degree,  
128 computed by the rules of the civil law, to the official employing  
129 or having the right of employment or selection thereof; and in the  
130 event of any such payment, then the official or person approving  
131 and making or receiving such payment shall be jointly and  
132 severally liable to return to the State of Mississippi and to pay  
133 into the State Treasury three (3) times any such amount so paid or  
134 received, to be recovered at suit of the Attorney General;  
135 provided that when the relationship is by affinity and the person  
136 through whom the relationship was established is dead, this  
137 provision shall not apply.

138       **SECTION 11.** It is the intention of the Legislature that the  
139 Office of the State Treasurer shall maintain complete accounting  
140 and personnel records related to the expenditure of all funds  
141 appropriated under the provisions of this act and that such  
142 records shall be in the same format and level of details as  
143 maintained for Fiscal Year 2003. It is further the intention of  
144 the Legislature that the budget request for Fiscal Year 2005 shall  
145 be submitted to the Joint Legislative Budget Committee in a format  
146 and level of detail comparable to the format and level of detail  
147 provided during the Fiscal Year 2004 budget request process.

148       **SECTION 12.** The money herein appropriated shall be paid by  
149 the State Treasurer out of any money in the State Treasury to the  
150 credit of the proper fund or funds as set forth in this act, upon  
151 warrants issued by the State Fiscal Officer; and the State Fiscal  
152 Officer shall issue his warrants upon requisitions signed by the  
153 proper person, officer or officers in the manner provided by law.

154       **SECTION 13.** This act shall take effect and be in force from  
155 and after July 1, 2003.

